REMARKS

The Examiner contends that the content request of Colby equates to the data traffic of the present invention. Applicants respectfully disagree and Claim 1 has been amended to clarify that the content within the intercepted data traffic is to be stored at the destination location to which the data is flowing. Applicants note that this definition of content and data traffic is entirely consistent with the meanings attributed in the present application and in Colby (see for example, paragraphs 6 and 7).

The content request of Colby is stated as being interpreted "as a request to initiate a flow between the client and an appropriate server" (Paragraph 62 Colby et al). Paragraph 53 of Colby describes how a flow set up request is received by the CSD (Content Server Database) and used by the CSD to determine which servers can service the flow request (i.e. the content request).

Therefore, in Colby the content request is used to query the CSD to determine servers which are able to provide content relating to content identity information contained in the request. It is not used, as alleged by the Examiner, to generate a mapping between the content and the cache; the mapping then being stored within the content server database.

Moreover, Applicant respectfully submits that a content request in accordance with its "plain meaning" cannot be considered to include content as required by the present claims. Rather, the content request will include content identity information enabling content (defined in Paragraph 6 of Colby as "information which a client application is interested in receiving") to be supplied to a node on the network.

This is consistent with the meaning attributed to the term in both the present application and in Colby which defines a content request "as a request to initiate a flow [of content identified in the request] between the client and an appropriate server" (Para 62). The content request in both applications causes a node that has database to obtain a list of available servers that can serve the content request. The list of available servers being created by a method of indexing.

Applicant therefore submits that the skilled person would not understand the content request to contain content in accordance with their plain ordinary meaning but rather to identify content which is to be transmitted across the network.

Applicant notes that Colby does describe a method for populating the CSD in order enable identification of servers that can service a content request i.e. servers that store content identified in the content request.

In Colby the index data for populating the CSD is obtained using an Intelligent Content Protocol (ICP) which is used to "probe the servers... for information regarding server status and content" (Paragraph 59 Colby et al.) and an Internet Probe Protocol (IPP) which is used to "send local server load and content information to neighboring content-aware flow switches" (Paragraph 60 Colby et al.).

Therefore, in Colby the CSD is populated by messages received by a content-aware flow switch to which they are attached. The messages either identifying content present on the transmitting server or on servers attached to a content-aware flow switch. None of these messages are transmitting data which includes the content identified as being present on the transmitting server or on servers attached to a content-aware flow switch.

Therefore, Colby does not disclose "a method of <u>indexing</u> content" including the step of "intercepting data traffic flowing to a destination location in the network, the data traffic including content to be stored at the destination location". Rather, in Colby this information is extracted from specialised data traffic transmitted using the applicable protocol including only information regarding a server on which content is stored and the content stored on the server.

Hence, as no content is included in the data traffic from which information regarding the caching of content is extracted, Colby also cannot be said to disclose the steps of "extracting identity information for the content and associated destination location information from the data traffic" and using the extracted information to generate a mapping which is stored in a content index database.

The present invention, by extracting information relating to content and destination location from the data traffic including content, obviates the need for the ICP and IPP thereby reducing the load on the network. Indeed if the method of the present application were implemented upon the network described in Colby the information relating to the content contained on the servers would already be indexed and present in the Content Server Database before any messages were transmitted using IPP or ICP.

Applicant therefore submits that Colby does not disclose or even suggest all features of present Claim 1. Hence, Claim 1 is patentable over Colby.

Claims 8 and 13 have features corresponding to Claim 1 and Applicant therefore submits that, at least for the reasons given above with reference to Claim 1, Claim 8 and Claim 13 are patentable over Colby.

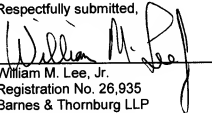Claims 2 to 6 are submitted to be patentable at least by virtue of their dependencies.

In view of the foregoing, it is submitted that the application, as amended, is in condition for allowance, and the Examiner's further and favourable reconsideration in that regard is urged.

As this response is being filed during the fourth month following the Examiner's Office Action, an appropriate petition for extension of time is also submitted herewith as part of the filing of a Request for Continued Examination.

Further action by the Examiner is awaited.

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Respectfully submitted,

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